

## REMARKS

### Status of Claims

Claims 1-7 and 9-22 are pending in the application. Claim 8 has been cancelled without prejudice or disclaimer. Claims 1-4, 9, 13-15, and 17-20 have been amended. Claim 22 has been added. Support for the claim amendments and the new claim may be found in the specification, drawings, and claims as originally filed. No new matter has been added.

### Claims 1-3, 5-7, and 9-21 are Allowable

The Office has rejected claims 1-3 and 5-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2003/0035471 to Pitsoulakis et al. ("Pitsoulakis"). Claim 8 has been cancelled without prejudice or disclaimer. Applicants respectfully traverse the remaining rejections.

The cited portions of Pitsoulakis fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Pitsoulakis do not disclose or suggest visually indicating an accessibility of an information service at a second location of a modem when the modem has access to the information service, as in claim 1. Instead, Pitsoulakis discloses an Ethernet network including an access device, a plurality of computers, and at least one peripheral (See Pitsoulakis, paragraph 0038). Pitsoulakis further discloses an Ethernet activity LED 404, which indicates the intensity of the activities over the Ethernet connection (See Pitsoulakis, Fig. 4 and paragraph 37). The Ethernet activity LED 404 indicates the Ethernet activity of a computer connected at a particular Ethernet hub. The intensity of activities of a computer over an Ethernet connection, however, says nothing about whether a modem has access to an information service, because the information service may or may not be accessible regardless of the Ethernet activity level indicated by the LED 404. Thus, the cited portions of Pitsoulakis do not disclose or suggest visually indicating an accessibility of an information service at a second location of a modem when the modem has access to the information service, as in claim 1. Hence, claim 1 is allowable.

Claims 2-3, 5-7, and 9-13 depend from claim 1. Therefore, claims 2-3, 5-7, and 9-13 are allowable, at least by virtue of their dependence from claim 1.

The cited portions of Pitsoulakis fail to disclose or suggest the specific combination of claim 14. For example, the cited portions of Pitsoulakis do not disclose or suggest a data detection mechanism operable to output an access signal in response to recognition that a remote information service is accessible from a broadband modem unit, as in claim 14. Instead, Pitsoulakis discloses an Ethernet network including an access device, a plurality of computers, and at least one peripheral (*See* Pitsoulakis, paragraph 0038). Pitsoulakis further discloses an Ethernet activity LED 404, which indicates the intensity of the activities over the Ethernet connection (*See* Pitsoulakis, Fig. 4 and paragraph 37). The Ethernet activity LED 404 indicates the Ethernet activity of a computer connected at a particular Ethernet hub. The intensity of activities of a computer over an Ethernet connection, however, says nothing about whether a modem has access to an information service, because the information service may or may not be accessible regardless of the Ethernet activity level indicated by the LED 404. Thus, the cited portions of Pitsoulakis do not disclose or suggest a data detection mechanism operable to output an access signal in response to recognition that a remote information service is accessible from a broadband modem unit, as in claim 14. Hence, claim 14 is allowable.

Claims 15-18 depend from claim 14. Therefore, claims 15-18 are allowable, at least by virtue of their dependence from claim 14.

The cited portions of Pitsoulakis fail to disclose or suggest the specific combination of claim 19. For example, the cited portions of Pitsoulakis do not disclose or suggest a second indicator operable to display a data status indicating whether a broadband modem has access to a remote information service node, as in claim 19. Instead, Pitsoulakis discloses an Ethernet network including an access device, a plurality of computers, and at least one peripheral (*See* Pitsoulakis, paragraph 0038). Pitsoulakis further discloses an Ethernet activity LED 404, which indicates the intensity of the activities over the Ethernet connection (*See* Pitsoulakis, Fig. 4 and paragraph 37). The Ethernet activity LED 404 indicates the Ethernet activity of a computer connected at a particular Ethernet hub. The intensity of activities of a computer over an Ethernet connection, however, says nothing about whether a modem has access to a remote information

service, because the remote information service may or may not be accessible regardless of the Ethernet activity level indicated by the LED 404. Thus, the cited portions of Pitsoulakis do not disclose or suggest a second indicator operable to display a data status indicating whether a broadband modem has access to a remote information service node, as in claim 19. Hence, claim 19 is allowable.

Claims 20-21 depend from claim 19. Therefore, claims 20-21 are allowable, at least by virtue of their dependence from claim 19.

#### **Claim 4 is Allowable**

The Office has rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Pitsoulakis in view of U.S. Patent No. 6,553,022 ("Hartmaier"). Applicants respectfully traverse the rejection.

The cited portions of Pitsoulakis and Hartmaier, either individually or in combination, fail to disclose or suggest the specific combination of claim 1. As discussed above, the cited portions of Pitsoulakis do not disclose or suggest indicating an accessibility of an information service at a second location of a modem when the modem has access to the information service, as in claim 1. The addition of Hartmaier fails to cure this deficiency. Instead, Hartmaier discloses a voice network node that is configured to recognize receipt of a non-routable data network access number (*See*, Hartmaier, Abstract). The cited portions of Hartmaier fail to disclose or suggest indicating an accessibility of an information service at a second location of a modem when the modem has access to the information service, as in claim 1.

Therefore, the cited portions of Pitsoulakis and Hartmaier, individually or in combination, fail to disclose or suggest at least one element of claim 1. Claim 4 depend from claim 1. Therefore, claim 4 is allowable, at least by virtue of its dependence from claim 1.

#### **Claim 22 is Allowable**

As noted above, the cited portions of Hartmaier fail to disclose or suggest the specific combination of claim 1, from which claim 22 depends. Hence, claim 22 is allowable, at least by virtue of its dependence from an allowable claim.

**CONCLUSION**

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

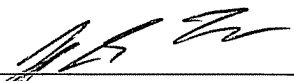
Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

3-3-2009  
Date

  
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